

01-24-02

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Customer Number: 25181

DIVISIONAL-CONTINUATION APPLICATION TRANSMITTAL FORM
UNDER RULE 1.53(b) (former Rule 1.60)

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 09/163,292	PRIOR APPLICATION FILING DATE: SEPTEMBER 29, 1998
ROK-003.02	CLASS: 709	SUBCLASS: 219.000	EXAMINER: L. LUU	ART UNIT: 2152

ASSISTANT COMMISSIONER FOR PATENTS
 BOX PATENT APPLICATION
 WASHINGTON, DC 20231

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: November 13, 2001Mailing Label Number: EL 719919032 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Bill Homan

Name of Person Mailing Paper

Bill Homan

Signature of Person Mailing Paper

**COPY OF PAPERS
 ORIGINALLY FILED**

11017 U.S. PTO
 10/055847
 11/13/01

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/163,292 filed on 09/29/98, of Gregory B. Macintosh, et al. entitled System and Method for Providing Broadcast Material History.

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:
- | | |
|--|---|
| <input checked="" type="checkbox"/> <u>48</u> page(s) of specification | <input checked="" type="checkbox"/> <u>10</u> page(s) of Information Disclosure material from parent case |
| <input checked="" type="checkbox"/> <u>4</u> page(s) of claims | <input checked="" type="checkbox"/> <u>2</u> page(s) of Revocation and Appointment of Power of Attorney |
| <input checked="" type="checkbox"/> <u>1</u> page(s) of abstract | |
| <input checked="" type="checkbox"/> <u>13</u> sheet(s) of drawings | |
| <input checked="" type="checkbox"/> <u>3</u> page(s) of declaration and power of attorney. | |

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 09/163,292 as originally filed on September 29, 1998.

2. ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27, a copy of which is enclosed, was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. ☐ The filing fee is calculated below:

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	* 22	MINUS	** 20	= 02
INDEP.	* 2	MINUS	*** 3	= 00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

SMALL ENTITY

RATE	FEE
x 9 =	\$18.00
x 40 =	\$0.00
+135 =	\$0.00
BASIC FEE	\$355.00
TOTAL	\$373.00

4. ☒ The Commissioner hereby authorized to charge any additional fee which may be required, or credit any overpayment, to Deposit Account No. 06-1448. A duplicate copy of this sheet is enclosed.
5. ☐ A check in the amount of \$_____ is enclosed for payment of the filing fee.
6. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)
8. ☐ Amend the specification by inserting before the first line the sentences:
9. ☐ Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)
10. ☐ New informal drawings are enclosed.
11. ☐ Priority of application serial no. _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.
- ☐ The certified copy has been filed in prior application serial no. _____ filed on _____.
- ☐ The certified copy will follow.
12. ☒ The prior application is assigned of record to RadioWave.com, Inc.
13. ☐ A _____ month extension of time has been submitted in the parent application Serial No. _____ in order to establish copendency with the present application.
14. ☐ Also enclosed is/are
15. ☒ The power of attorney in the prior application is to Foley, Hoag & Eliot LLP.
- a. ☐ The power appears in the original papers in the prior application.
- b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☐ A new power has been executed and is attached.
16. ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to Robert A. Greenberg at Customer Number: **25181** whose address is:

Patent Group
Foley, Hoag & Eliot LLP
One Post Office Square
Boston, Massachusetts 02109

17. ☒ Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 06-1448.

18. ☐ Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. _____. Please use the computer readable form of application serial no. _____ in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. _____ are the same.

November 13, 2001

Date

Customer No. 25181

Foly, Hoag & Eliot LLP

One Post Office Square

Boston, Massachusetts 02109

Tel. (617) 832-1000

REG

Robert A. Greenberg

Reg. No. 44,133

☐ inventor(s) ☐ filed under § 1.34(a)

☐ assignee of complete interest

☒ attorney or agent of record

1005547-4-1-301